

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2001:

Present

Vote

James S. Burgett, Chairman
Donald E. Wiggins, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
H. R. Ashe

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON AND
TAKE CERTAIN EASEMENTS AND OTHER PROPERTY IN CONNEC-
TION WITH THE DARE HEIGHTS SEWER PROJECT

WHEREAS, it is necessary to obtain certain easements and other property in connection with the Dare Heights sewer project; and

WHEREAS, for various reasons the County is not able to obtain from the owners of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interests; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by Precision Measurements, Inc. and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1905 E, Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for such purposes as constructing, installing, expanding, maintaining, or repairing pipelines, meter boxes, pumps, or any other appurtenances to a sewerage disposal and water system;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the ____ day of ____, 2001, that the Board finds that it is necessary for the protection and preservation of the public health, safety and welfare, and for the timely completion of the Dare Heights sewer project, for the County, its officers, employees and

agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plats attached to the Report of the County Attorney dated August 1, 2001, and incorporated herein by this reference:

Property Adjacent to Tax Parcel 30A-1-26A	"Plat of Parcel Acquisition From: The Harry O'Neil Estate, To: County of York, Virginia, Project: Dare Heights Sanitary Sewer Improvements," as shown on the referenced plat dated December 20, 2000, prepared by Precision Measurements, Inc., and designated as "Parcel Hereby Conveyed to York County, 10,892 sq. ft." Value offered to Owner: \$1,960.00
Property Adjacent to Tax Parcel 30Q-2-3	"Plat of Easement Acquisition From: The Harry O'Neil Estate, To: County of York, Virginia, Project: Dare Heights Sanitary Sewer Improvements," as shown on the referenced plat dated December 6, 2000, prepared by Precision Measurements, Inc. and designated as "Variable Width Permanent Utility Easement Hereby Conveyed to York County, 5,669 sq. ft." Value offered to Owner: \$3,424.00.
Tax Parcel 30Q-1-31	"Plat of Easement Acquisition From: Franklin I. Harris, Jr., et ux, To: County of York, Virginia, Project: Dare Heights Sanitary Sewer Improvements," as shown on the referenced plat dated November 29, 2000, prepared by Precision Measurements, Inc. and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 220 sq. ft." Value offered to Owner: \$119.00.
Tax Parcel 30Q-1-32	"Plat of Easement Acquisition From: Franklin I. Harris, Jr., et ux, To: County of York, Virginia, Project: Dare Heights Sanitary Sewer Improvements," as shown on the referenced plat dated November 29, 2000, prepared by Precision Measurements, Inc. and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 220 sq. ft." Value offered to Owner: \$37.00.

BE IT STILL FURTHER RESOLVED that the Chairman of the Board of Supervisors, the County Treasurer and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute certificates to be recorded in the Office of the

Clerk of the Circuit Court for York County, certifying the amounts set forth above as the fair value, and damages if any, of the interests to be taken, will be paid the owners in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this Resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easements sought to be acquired, and to do all things necessary as a prerequisite thereto.